Comments received from Department of Environmental Services, City and County of Honolulu on DATE

Comment [DC1]: I'm not sure what date these were received. Please fill in.

Comment	Comments for Kailua Draft Permit	
Cover Page	Please remove "Designate" from Ms. Lori M.K. Kahikina, P.E., Director	Permit revised based on Discharger comments.
Page 1	Permittee is City and County of Honolulu, Department of Environmental Services.	Permit revised based on Discharger comments.
	Applicable regulations should be as of July 2012	Permit revised based on Discharger comments.
Page 3 and 4, Part A.1	Loading units are all in lbs/day. However, the DMRs utilize kg/day units. Please ensure consistency between the permit and the DMR templates.	The DMR requirements will be based on permit requirements.
	DOH has not conducted the required triennial public hearing and review to update the Water Quality Standards. As a result, the standards applied in the draft permit rely on outdated data (e.g., 20 year old research for water quality criteria, rather than more recent studies) and improper measures (e.g., separate nitrogen requirements, rather than a single total nitrogen assessment).	Commented noted. Current water quality standards are required to be applied as specified in HAR 11-54.
Page 3, Part A.1, 1st Table	Footnote 2: There are no "analytical test" results for flow reporting.	The permit has been revised to clarify that the reporting of results is required and removed references to "analytical test" for flow monitoring.
	BOD_5 and TSS mass-based effluent limits should be based on the plant design flow rate of 15.25 MGD and not 12.7 MGD.	Previous permit established mass-based limits for BOD and TSS on a flow of 12.7 MGD. Due to State and federal anti-backsliding regulations and anti-degradation policies an increase in mass-based effluent limitations is not currently being considered. An anti-degradation analysis and rationale for backsliding will be necessary prior to a revision of these limitations.
Page 3, Part A.1, 2nd Table	pH unit of "MGD" is incorrect. Replace with correct "s.u.", which is the abbreviation for the standard unit.	Permit revised based on Discharger comments.
	The current NPDES permit specifies an allowable pH range	Because a ZOM has been granted for pH, and compliance has been

	in the effluent from 6.0 to 9.0 s.u. The proposed permit has a pH limit of 7.0 to 8.6 s.u. which is inappropriate because it applies the HAR § 11-54-6 open coastal waters criteria to the effluent.	achieved at the edge of the ZOM, the technology-based effluent limitations previously applied appear to be protective of water quality at the edge of the ZOM. The effluent limitation for pH has been revised.
	Incorrect dilution factors used to derive limits. As reflected in EPA guidance, dilution should be based on recent data.	The dilution used was provided by the Discharger and is representative of the most recent dilution study. As explained in the fact sheet, an average dilution was not provided, so the available (and conservative) initial dilution was used to generate the permit.
	The State Toxics Control Program: Derivation of Water Quality-Based Discharge Toxicity Limits for Biomonitoring and Specific Pollutants (STCP) specifies the procedure for calculating the average dilution using the design flow rate. STCP guidance provides that average conditions are used when establishing human-health standards based upon fish consumption for carcinogens.	Please see response to Comment 10 above.
	Incorrect Water Quality Standards used to derive effluent limits. The draft permit fails to account for DOH's conclusions, in 2009 when revising the Water Quality Standards, regarding standards necessary to protect human health.	The water quality standards implemented are those specified in HAR 11-54 and are applicable to the discharge of effluent from the Discharger's facility.
Page 3, Part A.1, 2nd table (Cont'd)	Chronic Toxicity units not needed to be reported for the whole effluent toxicity test. The result of the test is either a pass/fail.	Permit revised based on Discharger comments.
	Use design flow of 15.25 MGD for mass-based effluent limitations on Chlordane and Dieldrin.	XXXXX
	The DOH permit failed to consider average dilution and enterococcus die-off in calculating enterococcus limits. There is no basis for imposing enterococcus limits as receiving water data indicated there were no	Consistent with 3.3 of EPA's TSD, the regulatory authority should consider additional information discussed under Section 3.2 (i.e., type of industry, type of POTW, type of receiving water and designated uses, ect.) when evaluating

Comment [DC2]: We could do this. In an earlier communication we decided not to do this, however we are doing this in Sand Island. Please let me know how you'd like to proceed.

	exceedances of enterococcus at the edge of the mixing zone.	reasonable potential. Reasonable potential can be determined without effluent or receiving water exceedances of applicable water quality criteria. Because the facility is a POTW, and pathogens are characteristic of treated municipal wastewater, and the beneficial uses of the receiving water include recreation where human contact may occur, reasonable potential for enterococcus has been determined. As previously discussed, the dilution used was the only dilution provided by the Discharger. It is the responsibility of the Discharger to provide the necessary information at the beginning of the permit renewal process. Further, enterococcus die-off would not be considered in establishing effluent limitations due to the beneficial uses of the receiving water and the potential for human contact within and on the edge of the zone of mixing. Please see the response above regarding the determination for reasonable potential for enterococcus.
	Chlordane/Dieldrin limit should be removed. The State of Hawaii revised the State Water Quality Standards for Chlordane/Dieldrin in recognition of new studies regarding the carcinogenicity of toxic pollutants and submitted them to EPA for approval in February 2010. The RPA failed to consider the updated criteria that DOH has concluded are more appropriate state standards and the average dilution in calculating Chlordane/Dieldrin limits.	The water quality standards implemented in the permit are those specified in HAR 11-54 and represent the most recent revisions to HAR 11-54.
	Oil and Grease effluent limits: There is no technical basis to support the NPDES permit effluent limit.	XXXXX
	Chlorophyll monitoring is not appropriate for the effluent. Total Nitrogen and Total Phosphorous monitoring are appropriate to	Permit revised based on Discharger comments.

Comment [DC3]: Need DOH input.

	address chlorophyll concerns in the receiving waters.	
	Footnote 2: Delete "s" prior to " ... described in . .. "	Permit revised based on Discharger comments.
	Footnote 7: The 1997 reference to enterococci sampling is obsolete; replace with Method 1600 Reference EA821-R-09-016 dated December, 2009.	Permit revised based on Discharger comments.
	Footnote 7 specifies that effluent monitoring for enterococci shall consist of one grab sample collected between 12 noon and 3:00 p.m. There is no technical basis for imposing this time restriction.	Permit revised based on Discharger comments.
	Footnote 10: Please specify the submittal dates for the semi-annual monitoring of the pollutants.	Clarification added to footnote regarding using a calendar year. Reporting will be as prescribed for DMR reporting.
	Remaining Pollutants: sample type should be "Grab" for volatiles and "24-Hour Composite" for all other parameters.	Grab samples are acceptable, but 24-hour composites may be allowed as indicated in Appendix 1.
Page 4, Part A.1, 3rd Table	Current wastewater treatment technology does not allow wastewater to be treated to the specified nitrogen limits for ammonia nitrogen and nitrate + nitrite. The proposed limits are orders of magnitude lower than what is typically required of secondary and advanced treatment facilities with nitrogen removal. The nitrogen limits should be deleted.	Comment is no longer applicable, limitations have been revised since comment period. However effluent limitations for ammonia nitrogen and nitrate + nitrite have been established based on the water quality criteria in HAR 11-54. The final effluent limitations for ammonia nitrogen and nitrate + nitrite are based on the applicable water quality objectives contained in HAR 11-54. The implementation of applicable water quality objectives are not discretionary, and must be implemented in a manner protective of water quality. As detailed in the Fact Sheet, the Permittee's effluent has been shown to have reasonable potential to exceed water quality objectives, and effluent limitations are necessary. A compliance schedule has been established to provide time for the Permittee to identify potential methods to comply

		with the applicable water quality objectives. DOH assumes that substantial and costly facility alterations may be necessary, but identifying specific methods to comply with applicable water quality objectives is the responsibility of the Permittee. Additionally, the Permittee may evaluate alternative methods besides treatment to achieve compliance with the final effluent limitations such as re-evaluating assimilative capacity within the receiving water, alternative disposal methods, and reuse. Further, the permit requires the Discharger to evaluate available dilution and assimilative capacity within 3 years of the effective date of the permit. If assimilative capacity is available, and the effluent is shown not to contain reasonable potential, DOH may determine not to carry over the final effluent limitations for nutrients based on newly available information.
	Delete reference to Part A.3 from Table 2, footnote 3, because sampling is conducted l/Month.	Permit revised based on Discharger comments.
	Delete reference to Part A.3 from Table 3, footnote 2, because sampling is conducted l/Month.	Permit revised based on Discharger comments.
Page 4	A.4 - Remove reference to chlorophyll ~ monitoring in the effluent. See comment on chlorophyll for page 3.	Permit revised based on Discharger comments.
Page 6, Part B	The *T. gratilla* WET test has been updated for the Hawaiian sea urchin. The proper reference is the 2012 standard.	Permit revised based on Discharger comments.
Page 7, Part B.3	Delete "(100 percent effluent)" from the sentence. "100 percent effluent" assumes no zone of mixing exists for the effluent discharge to the receiving waters, which is inaccurate.	Revised to 0.54 percent effluent.
Page 7, Part 4.b	Chronic IWC for Outfall Serial No. 001 should be less than or equal to 0.75 x Control mean response.	Comment is not understood, permit clearly states less than or equal to as detailed in section B.3.

Page 8, Part B.4.h	*T. gratilla* test is one hour; pH drift is already accounted for in the method's QC. The freshwater method referenced in the paragraph does not apply. Delete entire paragraph.	Section h was deleted as recommended.
Page 11, Part B.7.a	Change "percent mean response at IWC" to "percent mean effect at IWC"	The toxicity text has been reviewed and approved by EPA. Comment was not implemented as the rationale for the revision was not provided and the suggested revision does not appear to provide additional clarification.
Page 12, Part C.1.a(2)	Delete because the shoreline and nearshore enterococcus monitoring requirement in E.l and E.2 is five times per calendar month.	Permit was not revised based on the Discharger's comments. The text in question is standard permitting text used in Hawaii and does not impact the requirements for the Discharger. If the Discharger monitors less than five times per 30 days, this requirement does not impact the Discharger.
	Page 15, Section D.l. The plant's design flow is 15.25 MGD and not 12.7 MGD.	Permit revised based on Discharger comments.
Page 16	Latitude and Longitude coordinates for Shoreline Water Quality Monitoring have been rounded and do not include the nearest 10th decimal place. This will result in inaccurate sampling locations. Permit should include latitude and longitude coordinates accurate to the 10th decimal place. Please see attached "Receiving Water Quality Monitoring Program, Mokapu Ocean Outfall" for correct coordinates.	Additional decimal places added to table based on Discharger's request.
	Footnote 1 would require 6 samples per month to be taken depending on calendar day in which sampling is initiated for a given month when the required monitoring frequency is five times per month. Suggest that Footnote 3 from Part C.1. (Page 13) of current permit is used instead, " ... Samples shall be equally spaced	Revision to footnote has been implemented requiring the monitoring to be as evenly spaced out as possible.

	at six (6) day intervals or unequally spaced at five (5), six	
Page 17	The draft permit does not specify ZID monitoring stations. The ZOM is used to determine compliance with State water quality criteria (ZID also referenced on page 18) and is consistent with Page 15. D.l, which establishes that the ZOM boundary is where the assimilation of secondary treated wastewater discharge occurs. ZID stations establishment and water quality compliance are associated with a 301(h) effluent discharge and therefore does not apply to this draft secondary treatment permit	Due to the implementation of end-of-pipe effluent limitations for enterococcus (which are presumed to be protective of water quality), the ZID monitoring has been removed.
	A table of the existing nearshore monitoring stations, locations, and coordinates should be included. Please see the attached "Receiving Water Quality Monitoring Program, Mokapu Ocean Outfall" for nearshore monitoring stations, locations, and coordinates.	The location of the provided nearshore stations do not appear to be within 300 meters of the shoreline, as required. Thus, the Permittee is required to establish nearshore stations within 300 meters of the shoreline.
	Due to existing hazardous conditions, the City cannot establish any nearshore sampling stations within 300 meters of the shoreline. The existing nearshore sampling stations must remain in their current locations.	Additional information detailing the hazardous conditions must be submitted prior to any potential revisions. Hazardous conditions have not been adequately documented by the Discharger to revise monitoring requirements further from shore.
	Footnote 1: Same comment from table on page 16, above.	Revision to footnote has been implemented requiring the monitoring to be as evenly spaced out as possible.
Page 18	Latitude and Longitude coordinates for Offshore Water Quality Monitoring have been rounded and do not include the nearest 10lh decimal place. Please see same comments for Shoreline Monitoring on page 16, above.	Additional decimal places added to table.
	Footnote 1: Same comment from tables on pages 16 and 17, above.	Revision to footnote has been implemented requiring the monitoring to be as evenly spaced

		out as possible.
	Remove "land based microwave positioning system" and replace with "GPS or DGPS". Remove "miniranger".	Permit revised based on Discharger comments.
Page 19	Footnote 1: Please correct to read "Grab samples shall be collected at each station *between a point* 1 meter below the surface, mid-depth, *and a point* 2 meters above the bottom".	Rationale for the revision were not provided. Monitoring at 1 meter below the surface is consistent with monitoring requirements established in other permits within Hawaii. Further, the suggested edits do not provide additional clarity.
	Footnote 2: Listed as Footnote 1 (again). Update language per comment above.	Revision to footnote has been implemented requiring the monitoring to be as evenly spaced out as possible.
	First paragraph following table should read, "Inability to conduct offshore monitoring ... "	Permit revised based on Discharger comments.
Page 20, Part E.6.e	Please clearly define what items constitute "survey results".	Revised to clarify “monitoring results”.
Page 23	The City requests that the annual report submittal deadline of February 28 be changed to March 31 to be consistent with the City's other NPDES permits with submittal deadlines of March 31. This change would also be consistent with the Sand Island Draft Permit.	Permit revised based on Discharger comments.
Page 28-30	Paint Filter Test Method is 9095B	Permit revised based on Discharger comments.
	General comment: The City would like to include provisions in the permit to allow outside generated sludge to be discharged downstream of the treatment plant's influent sampler so it can be treated directly by the plant's solids handling facility. The City will develop a system to monitor this sludge.	Permit revised based on Discharger comments.
	Disposal at MSW Landfill should only require the Paint Filter Liquids Test, not groundwater monitoring or certification regarding aquifer contamination.	Permit revised based on Discharger comments.
Page 35, Part I.1.c(1)	Insert the following wording “or the most recent method approved	Current permit text allows for the use of methods in the most recent edition

Comment [DC4]: Need DOH to verify this is ok.

	by EPA".	of 40 CFR 136. No revisions made based on Discharger comments.
Page 35, Part I.1.c(2)	Confirm that in addition to "total recoverable", the "dissolved" fraction must be analyzed per the State Water Quality Standards. ENV currently does both analyses.	Reporting purposes for NPDES permits are for total recoverable metals. The Discharger may monitoring and report dissolved metals in addition to total recoverable metals, but it is not currently required.
Page 36, Part I.1.c(4)(6), 2nd paragraph	Correct the sentence "Analytical results at or above the laboratory's MDL…" by replacing "MDL" with "ML".	Permit revised based on Discharger comments.
Page 38	Correct Shoreline Water Quality Monitoring due date reference to "128th" day of the month following completed reporting period.	Current permit text requires shoreline monitoring data to be submitted on the 28th day of the month following the completed reporting period, and is correct. Permit has not been revised based on Discharger comments.
	Remove requirement for ODEWS (or equivalent) Date Submission Report. ODES is obsolete. Data is being submitted via STORET.	Permit revised based on Discharger comments.
Appendix 1 Appendix	Analytical Methods: Recommend replacing all with citation "in accordance with 40 CFR 136".	Permit has been revised to state, "As specified in 40 CFR 136".
	The correct analytical method for Mercury should be "Method 3112B" (SM 3112B)	Permit has been revised to state, "As specified in 40 CFR 136".
	Analytical Methods: Recommend replacing all with citation "in accordance with 40 CFR 136".	Permit has been revised to state, "As specified in 40 CFR 136".
	All Dichlorobenzene isomer methods listed on this page should be "624", not "625".	Permit has been revised to state, "As specified in 40 CFR 136".
	Chloroform is misspelled.	Permit revised based on Discharger comments.
	Cyanide method is obsolete, should use Standard Methods 4500 CN.	Permit has been revised to state, "As specified in 40 CFR 136".
	Asbestos: what does "Not required unless required" mean?	Text has been revised for clarity, and states, "Not required unless specified." Monitoring of asbestos is not required unless specifically required in the permit.
	Dioxin (TCDD) method should be 1613B or in accordance with 40 CFR 136.	Permit has been revised to state, "As specified in 40 CFR 136".
	Analytical Methods: Recommend	Permit has been revised to state, "As

	replacing all with citation “in accordance with 40 CFR 136”	specified in 40 CFR 136”.
	Comments on Kailua Draft Fact Sheet	
Page 1	Correct Date.	Permit revised based on Discharger’s comments
	Remove Designate reference.	Permit revised based on Discharger’s comments
Page 3	Remove Designate reference.	Permit revised based on Discharger’s comments
	Authorized persons to sign are the positions of Director, Deputy Director, and Second Deputy Director.	Permit revised based on Discharger’s comments
	Paragraph A.1 is incomplete. Additional information was provided on 12/3/12, 12/4/12, and 12/13/12.	Permit revised based on Discharger’s comments
Page 5, Section B.5.a, Tables F-2 and F-3	The description for Tables F2 and F3 should clarify that reported data reflects the highest reported value over the measured period, not “representative monitoring”.	A footnote has been added clarifying that the summarized data represents the highest reported value over the monitoring period specified.
Page 6 Table F-3	Permit limitation is 2163 kg/day not 2136 kg/day.	Permit revised based on Discharger’s comments
Page 11	First sentence should read “maximum receiving water concentration” instead of “maximum of effluent concentration”.	Permit revised based on Discharger’s comments
Page 11-12	The State Toxics Control Program: Derivation of Water Quality-Based Discharge Toxicity Limits for Biomonitoring and Specific Pollutants (STCP) specifies the procedures for calculating the average dilution using the design flow rate. STCP guidance provides that average conditions are used when establishing human-health standards based upon fish consumption for carcinogens.	The rationale and methods used to establish water quality effluent limitations are discussed in Part D.2 of the Fact Sheet. An average dilution was not provided for the outfall, thus a conservative initial dilution was used. It is the Discharger’s responsibility to provide dilution information at the beginning of the permit renewal process.
	The RPA for ammonia is based on the conclusion that assimilative capacity does not exist. There is no effluent data to support that conclusion. The rationale for imposing a limit fails to consider the state of current wastewater treatment technology.	Effluent data is not used to evaluate assimilative capacity. The determination of assimilative capacity was evaluated using receiving water data and indicates that the annual geomean in 2009 exceeded 90 percent of the applicable water quality criteria.

		Based on the available data, there is no assimilative capacity available in the receiving water for ammonia.
	The Reasonable Potential Analysis uses an incorrect methodology to establish WQBELs.	The rationale and methods used to establish water quality effluent limitations are discussed in Part D.2 of the Fact Sheet. The Discharger does not provide sufficient information to determine where incorrect methodology is used to establish WQBELs. All methodology used is believed to be correct.
Page 15 through Page 17 (Chlordane/Dieldren)	The State of Hawaii revised the State Water Quality Standards for Chlordane/Dieldrin in recognition of new studies regarding the carcinogenicity of toxic pollutants and submitted them to EPA for approval in February 2010. The RPA failed to consider the updated criteria that DOH has concluded are more appropriate state standards and the average dilution in calculating Chlordane/Dieldrin limits.	The limitations for Chlordane and Dieldrin are based on the current criteria contained in HAR 11-54. The initial dilution was used because the Discharger did not provide an average dilution for the outfall. It is the responsibility of the Discharger to provide the necessary information at the beginning of the permitting process. To date, the Discharger has not provided an average dilution. The alternative would be no dilution, which seems unreasonable, considering that the initial dilution is a conservative value and protective of water quality.
Page 17, Part iv	The proposed maximum daily effluent limitation for Dieldrin should be 0.35 ug/L no 0.22 ug/L	Revised based on Discharger comments.
Page 18, Section D.2.e, Nutrients	The RPA for ammonia nitrogen is based on the conclusions that assimilative capacity does not exist. There is no effluent data to support that conclusion. The rationale for imposing a limit fails to consider the state of current wastewater technology.	Effluent data is not used to evaluate assimilative capacity. The determination of assimilative capacity was evaluated using receiving water data and indicates that the annual geomean in 2009 exceeded 90 percent of the applicable water quality criteria. Based on the available data, there is no assimilative capacity available in the receiving water for ammonia. Further, the effluent limitation for ammonia nitrogen is based on water quality criteria and is not a technology-based effluent limitation that would consider current wastewater technology.
Page 21	The Fact Sheet imposes two different geometric means of	Revised based on Discharger comments.

	6,510 CFU and 10,290 CFU.	
	The receiving waters data from March 2008 to October 2012 indicates that there were no exceedances of enterococcus at the edge of the mixing zone. There is no reasonable potential to cause or contribute to an exceedance of water quality for enterococcus.	Consistent with 3.3 of EPA's TSD, the regulatory authority should consider additional information discussed under Section 3.2 (i.e., type of industry, type of POTW, type of receiving water and designated uses, ect.) when evaluating reasonable potential. Reasonable potential can be determined without effluent or receiving water exceedances of applicable water quality criteria. Because the facility is a POTW, and pathogens are characteristic of treated municipal wastewater, and the beneficial uses of the receiving water include recreation where human contact may occur, reasonable potential for enterococcus has been determined.
	The DOH permit failed to consider average dilution and enterococcus die-off in calculating enterococcus limits. There is no basis for imposing enterococcus limits as receiving water data indicate there were no exceedances of enterococcus at the edge of the mixing zone.	As previously discussed, the dilution used was the only dilution provided by the Discharger. It is the responsibility of the Discharger to provide the necessary information at the beginning of the permit renewal process. Further, enterococcus die-off would not be considered in establishing effluent limitations due to the beneficial uses of the receiving water and the potential for human contact within and on the edge of the zone of mixing. Please see the response above regarding the determination for reasonable potential for enterococcus.
Page 24	The current plant design flow rate is 15.25 MGD and therefore mass-based effluent limitations in the permit should be based on 15.25 MGD, not an annual average flow of 12.7 MGD from the previous permit.	The previous permit established mass-based limits based on a flow of 12.7 MGD. Due to State and federal anti-backsliding regulations and anti-degradation policies an increase in mass-based effluent limitations is not currently being considered. A Discharger provided anti-degradation analysis and rationale for backsliding would be necessary prior to a revision of these limitations. It is the Discharger's responsibility to provide all necessary information at the beginning of the permit renewal process.

Comment [DC5]: We could grant higher mass-based limits for chlordane and dieldrin as they were not previously limited. We are allowing this in Sand Island. Please let me know what approach you'd like to take.

Page 27, Section D.2.b, Table F-10	Footnote 3, HAR 11-54-8(b) previous water quality standard of geometric mean of 7 CFU/100 mL for marine recreation waters within 300 meters (1,000 feet) of shore was not applicable to nearshore stations.	Although the water quality standard cited was accurate, the footnote has been revised to state, "The water quality standard established in HAR 11-54 during the drafting of the draft permit is a geometric mean of 34 CFU/100 mL."
Page 28, Section D.2.c, Table F-11	Footnote 3, HAR 11-54-8(b) previous water quality standard of geometric mean of 7 CFU/100 mL for marine recreation waters within 300 meters (1,000 feet) of shore was not applicable to offshore stations.	Although the water quality standard cited was accurate, the footnote has been revised to state, "The water quality standard established in HAR 11-54 during the drafting of the draft permit is a geometric mean of 34 CFU/100 mL."
	Comments for NPDES Standard Conditions	
Page 3, Condition 3.b(2)	Reference is outdated. As referenced in HAR 11-55, Appendix A, Third Edition of Water Measurement Manual was published in 2001.	Comment acknowledged.
Page 14, Condition 14.d	Condition fails to track the language of 40 CFR 122.41(j)	Comment acknowledged.
Page 16, Condition 16.d(2)	Condition fails to track the language of 40 CFR 122.41(j)	Comment acknowledged.

Comments received from Department of Environmental Services, City and County of Honolulu on June 19, 2013

The Discharger requests that the pH effluent limitation be revised to be reflective of technology-based effluent limitations for POTWs, and not based on the water quality criteria. The Discharger argues that receiving water data indicate that water quality at the edge of the Zone of Mixing has consistently complied with water quality criteria, thus the technology-based effluent limitations of sufficient. Specifically, the Discharger states:

"For draft permits at the referenced plants, the City requests that DOH apply the pH effluent limits promulated by EPA. The draft permits, however propose more stringent end-of-pipe limits, relying on Hawaii State Water Quality Standards (WQS) for marine open coastal waters. The Fact Sheet do[es] not explain the basis for applying a WQS for receiving waters as a limit directly on the plants effluent. Moreover, analysis of pH at the Zone of Mixing (ZOM) demonstrates that there is not reasonable potential to exceed the relevant WQS."

The Discharger provides a summary of receiving water data at the edge of the ZOM supporting the finding that water quality at the edge of the ZOM has met water quality criteria for pH. Further, the Discharger requests:

In light of the data demonstrating that the City has complied with both the WQS at the ZOM and the federal standards at the end of pipe, the proposed use of receiving water standards for the plants' effluent is questionable. The City respectfully requests that the pH effluent limitation in the draft permits follow the federal standard promulgated specifically for effluent monitoring, not the more stringent WQS for receiving waters.

Response: It should be noted that the technology-based effluent limitations for pH (referred to as "federal standards by the Discharger) are minimum requirements and are subject to more conservative limitations based on applicable water quality criteria. However, DOH has reviewed the receiving water data and agrees with that the technology-based effluent limitations for pH of 6.0 – 9.0 s.u. have been protective of water quality. The effluent limitations for pH have been revised, consistent with the request submitted by the Discharger.

Comments received from Department of Environmental Services, City and County of Honolulu on July 23, 2013

The Discharger states:

"The City and County of Honolulu does not believe the O&G average monthly discharge limitation of 15 mg/L in the subject Sand Island and Kailua draft NPDES permits is appropriate or justifiable. The applicable State Water Quality Standard, HAR § 11-54-4(a)(2), provides a narrative limit for the basic water quality criteria applicable to all waters: "All waters shall be free of substances attributable to domestic, industrial, or other controllable sources of pollutants, including ... Floating debris, oil, grease, scum or other floating materials."

Taking HAR 11-54-4(a)(2) into account, the proposed effluent oil and grease limitation for the SIWWTP and KRWWTP draft NPDES permits are unwarranted because the ocean

observations logs for SIWWTP and KRWWTP have never indicated the presence of either floatable oil or grease at the offshore receiving monitoring stations. Therefore it is inappropriate for the Department of Health to impose a numerical effluent limitation for oil and grease. Based on the circumstances, the 15 mg/L discharge limitation does not appear to be justifiable and should be removed from both permits."

Response: XXXXXXX

Comment [DC6]: Need DOH input. Hey Darryl, not sure how to respond to this. Have you all used any rationale that you've found defendable for this limit?